

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT-LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2004, AS OF DECEMBER 9, 2003—

Continued

[In millions of dollars]

	Budget authority	Outlays	Revenues
Homeland Security Appropriations (P.L. 108-90)	30,216	18,192	0
Emergency Supplemental Appropriations Act for Defense and Reconstruction of Iraq and Afghanistan (P.L. 108-106)	3,555	1,133	0
Interior Appropriations (P.L. 108-108)	19,673	13,202	0
Military Construction Appropriations (P.L. 108-132)	9,316	12,567	0
Energy and Water Appropriations (P.L. 108-137)	27,328	18,143	0
Total, appropriation acts	462,536	335,138	0
Continuing Resolution Authority:			
Continuing Resolution, 2004 (P.L. 108-185)	300,166	157,548	0
Difference between enacted levels and budget resolution estimates for appropriated entitlements and other mandatory programs	358,395	338,102	n.a.
Total Current Level ^{1,2}	1,871,318	1,889,744	1,330,773
Total Budget Resolution	1,873,459	1,896,973	1,331,000
Current Level Over Budget Resolution	n.a.	n.a.	n.a.
Current Level Under Budget Resolution	2,141	7,229	227

¹ Per section 502 of H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2004, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the current level excludes the following items: outlays of \$262 million from funds provided in the Emergency Supplemental Appropriations for Disaster Relief Act of 2003 (P.L. 108-69); outlays of \$456 million from funds provided in the Legislative Branch Appropriations Act, 2004 (P.L. 108-83); budget authority of \$400 million and outlays of \$67 million provided in the Interior Appropriations Act, 2004 (P.L. 108-108); and budget authority of \$83,992 million and outlays of \$35,970 million provided in the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (P.L. 108-106).

² Excludes administrative expenses of the Social Security Administration, which are off-budget.

Notes:—n.a. = not applicable; P.L. = Public Law; * = less than \$500,000.

SOURCE: Congressional Budget Office.

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

In early May 2003, Jessica Mercado, a Latina transgender woman was found dead in her apartment. According to police reports, Mercado was stabbed twice in the neck in her New Haven, CT apartment which was then set on fire in a possible attempt to cover up the crime.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

TROUBLING PRE-ELECTION DEVELOPMENTS IN UKRAINE

Mr. CAMPBELL. Mr. President, as co-chairman of the Helsinki Commission and the sponsor of the 2002 Senate-passed resolution urging the Ukrainian Government to ensure a democratic, transparent and fair election process in advance of their parliamentary elections, I find recent developments relating to upcoming presidential elections in Ukraine deeply troubling.

Ten months before these critical elections, a constitutional amendment is making its way through the Ukrainian parliament designed to ensure that the current, corruption riddled powers-that-be retain their grip on power, neutralizing the leader of the biggest democratic fraction in parliament and Ukraine's most popular politician, Victor Yushchenko. The amendment calls for abbreviating the presidential term for the October 2004 elections to 2 years, with the election of a president

by the parliament in 2006, notwithstanding opinion polls indicating that the overwhelming majority of Ukrainians support preserving direct presidential elections. This amendment had been approved by Ukraine's Constitutional Court in a decision which has led many observers both within and outside of Ukraine to question the independence of the court. The court's decision a few weeks ago to allow President Kuchma to run for a third term, despite the 1996 constitution's 2-term limit, has only raised more questions.

Media repression continues, including the issuance of directives sent to media by the presidential administration on what and how issues and events should be covered, especially in the electronic media. A recent Freedom House report concludes that:

The current state of affairs of Ukraine's media raises serious questions as to whether a fair and balanced electoral contest can be held.

Newspapers critical of the authorities are subjected to various methods of repression, including attacks against journalists, arrests of publishers, "special attention" via tax inspections, administrative controls over distribution and pressure on advertisers.

At the same time, administrative measures are being taken to prevent lawful political activity, the most stark example of which was the disruption—instigated by the authorities—of a national congress of the Yushchenko-led Our Ukraine bloc in Donetsk last November. Most recently, a presidential decree dismissed the elected Our Ukraine mayor of Mukachevo, despite a ruling by the Supreme Court which confirmed that he had been elected in a legitimate way. In a telling twist, an acting mayor from the political party led by the head of the presidential administration, Victor Medvedchuk, has been installed.

As co-chairman of the Helsinki Commission, I share the concern of colleagues on both sides of the aisle that the presidential elections in Ukraine scheduled for October be free, fair, open and transparent and conducted in a manner consistent with Ukraine's

freely undertaken commitments as a member of the Organization for Security and Cooperation in Europe—OSCE. The Helsinki Commission, consistent with our mandate to monitor and encourage compliance with OSCE agreements by all participating states, will continue to follow the situation in Ukraine closely.

I ask unanimous consent that the text of a recent Washington Post editorial on troubling pre-election developments in Ukraine be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 12, 2004]

A RESOLUTION FOR UKRAINE

According to Secretary of State Colin L. Powell, the Bush administration's first foreign policy resolution for 2004 is "to expand freedom." And not only in Iraq and the Middle East: In an op-ed article published in the New York Times, Mr. Powell promised to support "the consolidation of freedom in many new but often fragile democracies . . . in Latin America, Europe, Asia and Africa." We hope that support will extend beyond the rhetoric that too often has substituted for genuine democratic advocacy during President Bush's first three years—and that it will be applied even where the United States has interests that make toleration of autocracy tempting.

One region where such U.S. engagement, or its absence, might prove decisive is the band of former Soviet republics to the west and south of Russia. Several are struggling democracies; others are ruled by autocrats. Almost all are under threat from Moscow's resurgent imperialism. As the tiny state of Georgia recently demonstrated, democracy is the best defense against Russian President Vladimir Putin's attempts to create a Kremlin-dominated sphere of influence. Countries that have held free and fair elections have tended to gravitate toward strengthening their independence and seeking good relations with the West, while unstable autocrats are more likely to yield to Mr. Putin.

The country closes to a tipping point may be Ukraine. Like Russia, Ukraine has an electoral democracy tainted by corruption and strong-arm tactics and an economy warped by clans of oligarchs. Much of its population, however, aspires to integration with the West. President Leonid Kuchma has been linked to corruption and serious human rights violations. In recent months he has